

AMENDED IN ASSEMBLY FEBRUARY 7, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 64

Introduced by Assembly Member Donnelly

January 7, 2013

An act to ~~repeal Chapter 8 (commencing with Section 38600) of Division 16.5~~ amend Sections 38601 and 38603 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 64, as amended, Donnelly. Vehicles: recreational off-highway vehicles.

Existing

(1) *Existing* law establishes rules for the operation of off-highway vehicles, including specified requirements governing the operation of recreational off-highway vehicles. ~~These provisions prohibiting a person who is operating a recreational off-highway vehicle from allowing a passenger to occupy a separate seat location not designed and provided by the manufacturer for a passenger, and from riding with a passenger, unless the passenger, among other things, can grasp the occupant handhold with the seatbelt and shoulder belt or safety harness properly fastened while seated upright. Existing law prohibits a person from allowing a passenger in a recreational off-highway vehicle unless the passenger is wearing a safety helmet.~~

~~This bill would repeal all provisions applicable to the operation of recreational off-highway vehicles.~~

This bill would provide that this prohibition does not apply to a passenger secured in a child safety seat.

(2) Existing law prohibits a person operating a recreational off-highway vehicle from allowing a passenger to occupy a separate seat location not designed and provided by the manufacturer for a passenger.

This bill would provide that this prohibition does not apply to any vehicle manufactured prior to January 1, 2014.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Chapter 8 (commencing with Section 38600) of~~
2 ~~Division 16.5 of the Vehicle Code is repealed.~~
3 SECTION 1. Section 38601 of the Vehicle Code is amended to
4 read:
5 38601. (a) A person shall not operate, or allow a passenger
6 in, a recreational off-highway vehicle unless the person and the
7 passenger are wearing safety helmets meeting the requirements
8 established for motorcycles and motorized bicycles pursuant to
9 Section 27802.
10 (b) *This section shall not apply to a passenger secured in a child*
11 *safety seat.*
12 SEC. 2. Section 38603 of the Vehicle Code is amended to read:
13 38603. (a) A person operating a recreational off-highway
14 vehicle shall not allow a passenger to occupy a separate seat
15 location not designed and provided by the manufacturer for a
16 passenger.
17 ~~(b) This section shall become operative on July 1, 2013.~~
18 (b) *This section shall not apply to any vehicle manufactured*
19 *prior to January 1, 2014.*